

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 03 2022

By _____ Clerk
 _____ Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA) PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
 Case No. 49576) FOR FEDERAL RESERVED
 _____) WATER RIGHT NO. 95-17399A

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
 USDA FOREST SERVICE
 550 W FORT ST MSC 033
 BOISE ID 83724

SOURCE: See Attachment 1, Column A TRIBUTARY: See Attachment 1, Column B

Sources are located on National Forest System Land in the Coeur d'Alene Lake subwatershed (HUC12 170103030406).

QUANTITY: The amount of water necessary to control and suppress forest fires.

PRIORITY DATE: 11/06/1906

POINT OF DIVERSION: See Attachment 1, Columns C through G

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE
 Administrative-Fire Suppression 01/01 - 12/31

PLACE OF USE: National Forests in Idaho and the Kaniksu, Lolo and Kootenai National Forests in Montana.

See Attachment 2.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is limited to the intermittent diversion and use of water for the purpose of suppressing wildfires. This water right shall not be used as a basis to prevent the future appropriation of water.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Idaho Code § 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above partial judgment it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above partial judgment is a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

RECOMMENDATION

MAR 03 2022

Eric J. Wildman

SPECIAL MASTER

Eric J. Wildman
 Presiding Judge of the
 Coeur d'Alene-Spokane River Adjudication

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
2	Unnamed Stream	Carlin Creek	48N	03W	3		
3	Unnamed Stream	Carlin Creek	48N	03W	3		
4	Carlin Creek	Spokane River	48N	03W	8		
5	Unnamed Stream	Carlin Creek	48N	03W	8		
6	Unnamed Stream	Carlin Creek	48N	03W	8		
7	Unnamed Stream	Carlin Creek	48N	03W	8		
8	Unnamed Stream	Carlin Creek	48N	03W	8		
9	Unnamed Stream	Carlin Creek	48N	03W	9		
10	Unnamed Stream	Carlin Creek	48N	03W	9		
11	Unnamed Stream	Carlin Creek	48N	03W	9		
12	Unnamed Stream	Spokane River	48N	03W	18		
13	Unnamed Stream	Beauty Creek	49N	02W	7		
14	Unnamed Stream	Beauty Creek	49N	02W	7		
15	Unnamed Stream	Wolf Lodge Creek	49N	02W	7		
16	Unnamed Stream	Wolf Lodge Creek	49N	02W	7		
17	Unnamed Stream	Beauty Creek	49N	02W	8		
18	Unnamed Stream	Varnum Creek	49N	02W	16		
19	Unnamed Stream	Varnum Creek	49N	02W	17		
20	Unnamed Stream	Varnum Creek	49N	02W	17		
21	Varnum Creek	Beauty Creek	49N	02W	17		
22	Beauty Creek	Wolf Lodge Creek	49N	02W	18		
23	Lost Man Creek	Varnum Creek	49N	02W	18		
24	Unnamed Stream	Beauty Creek	49N	02W	18		
25	Unnamed Stream	Beauty Creek	49N	02W	18		
26	Unnamed Stream	Varnum Creek	49N	02W	18		
27	Varnum Creek	Beauty Creek	49N	02W	18		
28	Beauty Creek	Wolf Lodge Creek	49N	02W	19		
29	Unnamed Stream	Beauty Creek	49N	02W	19		
30	Unnamed Stream	Beauty Creek	49N	02W	19		
31	Unnamed Stream	Beauty Creek	49N	02W	19		
32	Unnamed Stream	Beauty Creek	49N	02W	19		
33	Unnamed Stream	Beauty Creek	49N	02W	19		
34	Unnamed Stream	Beauty Creek	49N	02W	20		
35	Unnamed Stream	Beauty Creek	49N	02W	20		
36	Unnamed Stream	Varnum Creek	49N	02W	20		
37	Unnamed Stream	Varnum Creek	49N	02W	20		
38	Varnum Creek	Beauty Creek	49N	02W	20		
39	Varnum Creek	Beauty Creek	49N	02W	21		
40	Unnamed Stream	Beauty Creek	49N	02W	29		
41	Beauty Creek	Wolf Lodge Creek	49N	02W	30		
42	South Fork Beauty Creek	Beauty Creek	49N	02W	30		
43	Unnamed Stream	Beauty Creek	49N	02W	30		
44	Unnamed Stream	Beauty Creek	49N	02W	30		
45	Unnamed Stream	Beauty Creek	49N	02W	30		
46	Unnamed Stream	Beauty Creek	49N	02W	30		
47	Beauty Creek	Wolf Lodge Creek	49N	02W	31		
48	South Fork Beauty Creek	Beauty Creek	49N	02W	31		
49	Unnamed Stream	Beauty Creek	49N	02W	31		
50	Unnamed Stream	Beauty Creek	49N	03W	11		
51	Unnamed Stream	Beauty Creek	49N	03W	11		
52	Beauty Creek	Wolf Lodge Creek	49N	03W	12		
53	Unnamed Stream	Beauty Creek	49N	03W	12		
54	Unnamed Stream	Beauty Creek	49N	03W	12		
55	Unnamed Stream	Beauty Creek	49N	03W	12		
56	Unnamed Stream	Beauty Creek	49N	03W	12		
57	Beauty Creek	Wolf Lodge Creek	49N	03W	13		
58	Caribou Creek	Beauty Creek	49N	03W	13		
59	Unnamed Stream	Beauty Creek	49N	03W	13		
60	Unnamed Stream	Caribou Creek	49N	03W	13		
61	Unnamed Stream	Caribou Creek	49N	03W	13		
62	Steamchet Creek	Wolf Lodge Creek	49N	03W	14		
63	Unnamed Stream	Beauty Creek	49N	03W	14		
64	Unnamed Stream	Beauty Creek	49N	03W	14		
65	Unnamed Stream	Steamchet Creek	49N	03W	14		
66	Steamchet Creek	Wolf Lodge Creek	49N	03W	15	NESE	
67	Unnamed Stream	Steamchet Creek	49N	03W	15	NESW	

Attachment 1

	A	B	C	D	E	F	G
1	SOURCE NAME	TO TRIBUTARY	TOWNSHIP	RANGE	SECTION	QQ	SURVEY CODE AND NUMBER
68	Unnamed Stream	Steamchet Creek	49N	03W	15	NESW	
69	Unnamed Stream	Steamchet Creek	49N	03W	15	NWSE	
70	Unnamed Stream	Steamchet Creek	49N	03W	15	NWSW	
71	Unnamed Stream	Steamchet Creek	49N	03W	15	SESW	
72	Unnamed Stream	Turner Creek	49N	03W	15	SESW	
73	Turner Creek	Spokane River	49N	03W	22		
74	Unnamed Stream	Turner Creek	49N	03W	22		
75	Unnamed Stream	Turner Creek	49N	03W	22		
76	Caribou Creek	Beauty Creek	49N	03W	23		
77	Unnamed Stream	Beauty Creek	49N	03W	23		
78	Unnamed Stream	Pleasant Creek	49N	03W	23		
79	Unnamed Stream	Pleasant Creek	49N	03W	23		
80	Unnamed Stream	Turner Creek	49N	03W	23		
81	Unnamed Stream	Turner Creek	49N	03W	23		
82	Caribou Creek	Beauty Creek	49N	03W	24		
83	Pleasant Creek	Carlin Creek	49N	03W	24		
84	Unnamed Stream	Beauty Creek	49N	03W	24		
85	Unnamed Stream	Beauty Creek	49N	03W	24		
86	Unnamed Stream	Beauty Creek	49N	03W	24		
87	North Creek	Pleasant Creek	49N	03W	25		
88	Pleasant Creek	Carlin Creek	49N	03W	25		
89	Unnamed Stream	Beauty Creek	49N	03W	25		
90	Unnamed Stream	Pleasant Creek	49N	03W	25		
91	North Creek	Pleasant Creek	49N	03W	26		
92	Pleasant Creek	Carlin Creek	49N	03W	26		
93	Unnamed Stream	Carlin Creek	49N	03W	26		
94	Unnamed Stream	Pleasant Creek	49N	03W	26		
95	Unnamed Stream	Pleasant Creek	49N	03W	26		
96	Unnamed Stream	Pleasant Creek	49N	03W	26		
97	Carlin Creek	Spokane River	49N	03W	27		
98	Turner Creek	Spokane River	49N	03W	27		
99	Unnamed Stream	Turner Creek	49N	03W	27		
100	Carlin Creek	Spokane River	49N	03W	34		
101	Pleasant Creek	Carlin Creek	49N	03W	34		
102	Unnamed Stream	Carlin Creek	49N	03W	34		
103	Carrill Creek	Pleasant Creek	49N	03W	35		
104	North Creek	Pleasant Creek	49N	03W	35		
105	Pleasant Creek	Carlin Creek	49N	03W	35		
106	Unnamed Stream	Carlin Creek	49N	03W	35		
107	Unnamed Stream	Carrill Creek	49N	03W	35		
108	Unnamed Stream	North Creek	49N	03W	35		
109	Blue Creek	Wolf Lodge Creek	50N	02W	6		
110	Blue Creek	Wolf Lodge Creek	50N	02W	7		
111	Unnamed Stream	Blue Creek	50N	02W	7		
112	Unnamed Stream	Blue Creek	50N	02W	7		
113	Unnamed Stream	Blue Creek	50N	02W	8		
114	Unnamed Stream	Blue Creek	50N	02W	17		
115	Blue Creek	Wolf Lodge Creek	50N	02W	18		
116	Unnamed Stream	Blue Creek	50N	02W	18		
117	Unnamed Stream	Blue Creek	50N	02W	18		
118	Unnamed Stream	Blue Creek	50N	02W	18		
119	Unnamed Stream	Blue Creek	50N	02W	18		
120	Unnamed Stream	Blue Creek	50N	02W	18		

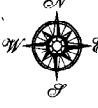

Attachment 2
 Place of Use Map Fire Suppression - Water Right No. 95-17399A
 National Forests in Idaho and the Kaniksu, Lolo and Kootenai NF in Montana

Key to Features

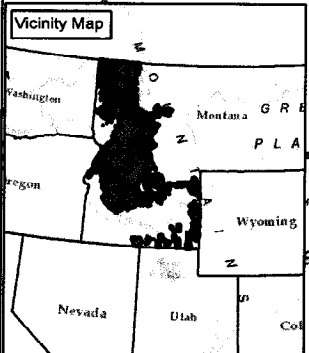
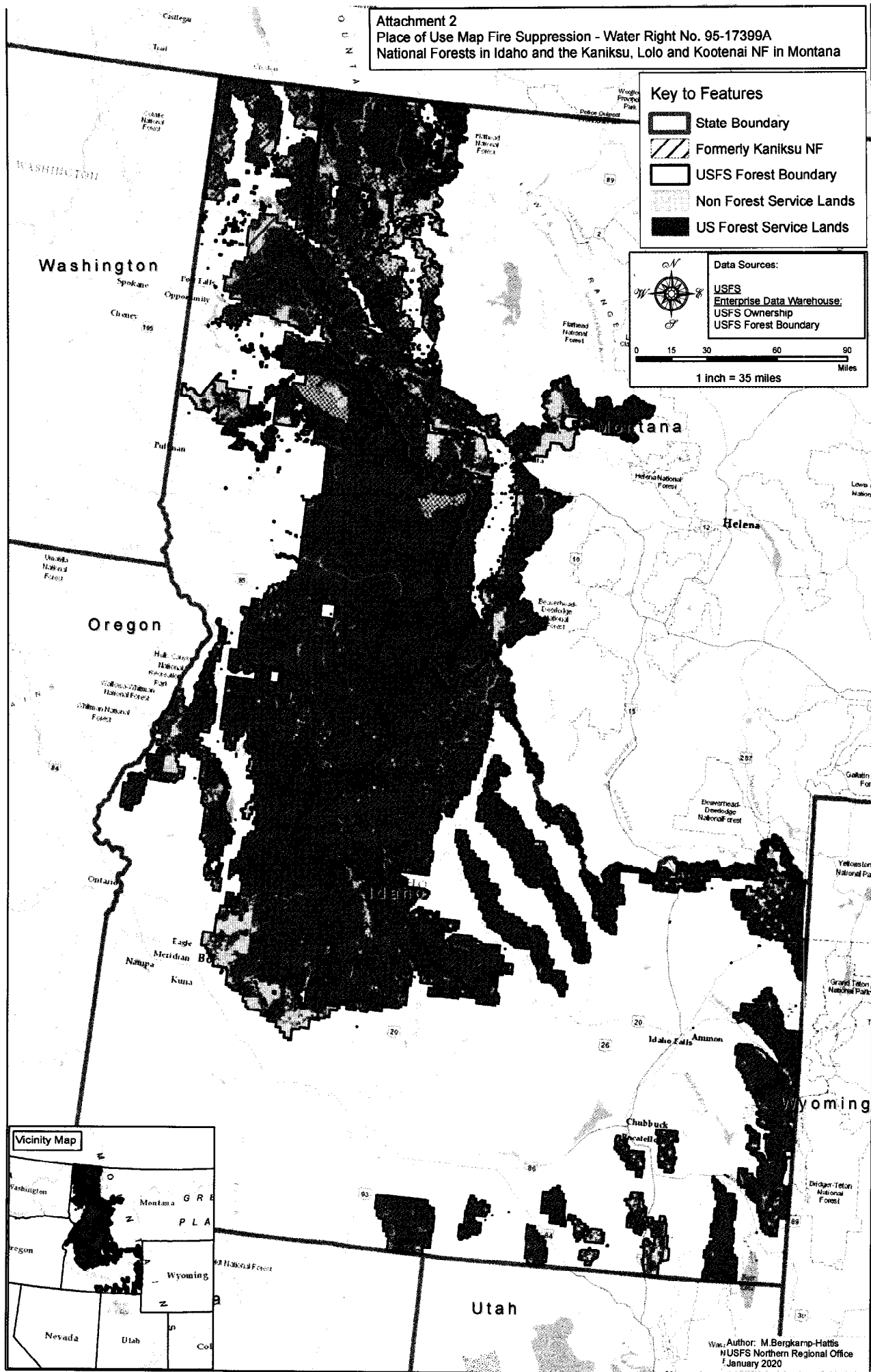
- State Boundary
- Formerly Kaniksu NF
- USFS Forest Boundary
- Non Forest Service Lands
- US Forest Service Lands

Data Sources:

- USFS
- Enterprise Data Warehouse
- USFS Ownership
- USFS Forest Boundary

1 inch = 35 miles



Author: M. Bergkamp-Hattis
 WUSFS Northern Regional Office
 January 2020